



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

July 17, 2019

Via ECF

The Honorable Paul A. Crotty  
United States District Judge  
Southern District of New York  
United State Courthouse  
500 Pearl Street, Courtroom 14C  
New York, New York 10007

**Re: *United States v. Joshua Adam Schulte*, S2 17 Cr. 548 (PAC)**

Dear Judge Crotty:

On July 3, 2019, the parties submitted a proposed scheduling order for the Court's consideration. Pursuant to the Court's request, the parties hereby submit a revised proposed scheduling order, which is attached as Exhibit A to this letter. The revised scheduling order includes all of the proposed dates set forth in the July 3 proposed schedule, as well as deadlines to file opposition and reply papers in connection with the defendant's pretrial suppression and discovery motions. The parties believe that the revised scheduling order accounts for all remaining pretrial deadlines in this case.

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney

By:                     /s/                      
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Assistant United States Attorneys  
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Cc: Defense Counsel (via ECF)  
Daniel Hartenstine, Court Information Security Officer

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

JOSHUA ADAM SCHULTE,

Defendant.

S2 17 Cr. 548 (PAC)

[PROPOSED] ORDER

PAUL A. CROTTY, United States District Judge:

The parties shall comply with the following pretrial schedule:

**Pretrial Filings and Other Deadlines**

July 29, 2019

Government to file its notice pursuant to Section 10 of the Classified Information Procedures Act (“CIPA”) identifying the materials that it reasonably expects to rely upon to establish the national defense or classified information element of the offenses charged in Counts One through Five.

Government to identify what information from classified discovery that it reasonably expects to introduce at trial. Government also to identify its anticipated witnesses. These disclosures are subject to change as the Government continues to prepare for trial and respond to defense filings and arguments.

August 2, 2019

Government to file its opposition briefs to the defendant’s suppression motions filed on June 18 and July 3, 2019, as well as the defendant’s *ex parte* discovery motion submitted under seal on July 3, 2019.

August 5, 2019

Defendant to file his notice pursuant to CIPA Section 5 detailing the classified information that he reasonably expects to disclose or cause to disclose in connection with trial or any pretrial proceeding.

August 16, 2019

Defendant to file reply briefs, if any, in response to the Government’s opposition motions submitted on August 2, 2019.

August 26, 2019	Government to provide notice to the Court and the defendant pursuant to CIPA Section 6(a) and (b) that it is requesting a hearing concerning the use, relevance, or admissibility of classified information at trial or any pretrial hearings.  Parties to provide expert notice, if any.
September 9, 2019	Defendant to file opposition to the Government's notice under CIPA Section 6(b).
September 16, 2019	Government to file its reply, if any, to the defendant's opposition to the Government's notice under CIPA Section 6(b).
September 30, 2019	Government to file its motion pursuant to CIPA Section 6(c), if any, proposing alternative procedures for the disclosure of classified information at trial.  Parties to file motions in limine and 404(b) notice.  Parties to file requests to charge and voir dire.
October 14, 2019	Defendant to file his opposition to the Government's motion pursuant to CIPA Section 6(c).  Parties' to file oppositions to motions in limine. Government to produce 3500 and <i>Giglio</i> material (if not already produced).

**Pretrial Hearing and Conference Dates**

September __, 2019	Court to hold a hearing to address the defendant's pretrial motions, if necessary (parties propose week of September 16).
September __, 2019	Court to hold a hearing pursuant to CIPA Section 6(a), if necessary (parties propose week of September 23).

October \_\_, 2019                      Court to hold a hearing pursuant to CIPA Section 6(c), if necessary (parties propose week of October 21).

October \_\_, 2019                      Court to hold final pretrial conference (parties propose week of October 28).

SO ORDERED.

Dated:                      July \_\_, 2019  
                                    New York, New York

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THE HONORABLE PAUL A. CROTTY  
UNITED STATES DISTRICT JUDGE